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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
07/826, 754	01/28/92	ROSSER	R PEB-1US

EXAMINER
LEE, M

ART UNIT	PAPER NUMBER
2602	3

DATE MAILED: 01/26/93

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice re Patent Drawing, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449.
4. Notice of Informal Patent Application, Form PTO-152.
5. Information on How to Effect Drawing Changes, PTO-1474.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1 - 20 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims 1, 4 - 7, 9 - 12, 14, 15, 18 are rejected.

5. Claims 2, 3, 8, 13, 16, 17, 19 and 20 are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. Formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable. not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been approved by the examiner. disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed on _____, has been approved. disapproved (see explanation).

12. Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

EXAMINER'S ACTION

Art Unit 2602

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 6, 7, 9, 14, 15 and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Cawley et al.

For claims 1 and 10, Cawley shows a selecting means (defining means); a video signal display responsive means (combiner 11); an indicia video signal generating means (background); and a mixing means 14. It should be noted that the selecting means can select the whole chrome area (1a) to be the defined area.

For claim 4, note the touch pad 7.

For claim 6, Cawley shows a store means 25 or the delay means as claimed.

For claim 7, the pattern recognition means is met by the signal selector 12.

For claims 9, 14, please note col. 3, lines 40-43. For claim 15, note the frame store 9.

For claim 18, please note the touch table 7.

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section

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102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 5, 11, and 12 are rejected under 35 U.S.C. § 103 as being unpatentable over Cawley et al.

For claims 5, 11, 12, the background image in Cawley can be any message such as advertise logos and trademarks. The foreground can be any image such as a person, a natural scene, or a sports court.

3. Claims 2, 3, 8, 13, 16, 17, 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Edelson shows a system for generating a display of graphic objects over a video camera picture.

Abt et al. shows a TV special effect system.

Ishii et al. shows a mixer.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Lee whose telephone number is (703) 305-4743.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.


James J. Groody
Supervisory Patent Examiner
Art Unit 262

M. LEE:LSD
January 21, 1993